

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UTICA MUTUAL INSURANCE
COMPANY,

Plaintiff,

v.

CINCINNATI INSURANCE COMPANY,
Defendant.

No. 18-cv-1646

ORDER

AND NOW, this 15th day of January, 2019, for the reasons expressed in the opinion issued this date, **IT IS ORDERED THAT:**

1. Plaintiff's Motion for Leave to File a Sur-Reply, ECF No. 43, is **GRANTED**.
2. Plaintiff's Motion to Supplement the Record in Opposition to Cincinnati's Motion for Summary Judgment, ECF No. 53, is **GRANTED**.
3. Defendant's Motion to Supplement Summary Judgment Record, ECF No. 54, is **GRANTED**.
4. Defendant's Motion for Summary Judgment, ECF No. 29, is **DENIED**.
5. Plaintiff's Motion for Partial Summary Judgment, ECF No. 45, is **GRANTED in part** with respect to liability on Count I of Plaintiff's Complaint and **DENIED in part** with respect to damages on Count I.
6. **Within two days** of the date of this order, Plaintiff shall show cause why summary judgment should not be entered in Defendant's favor with respect to Counts II and III of the Complaint.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge